

A. Attorney or Person Without Attorney

Write the name of your attorney. If you are representing yourself, your name goes here.

B. Recording Requested by and Return to

Check the box and place your name and address in the space provided. After the document has been filed with the court, you need to take a certified copy to the County Recorder's Office.

C. Telephone Number

Your telephone number goes here. You may also give a number where the court can leave a message for you.

D. Fax Number

You may write in your fax number here or you may leave this line blank.

E. E-mail Address

You may write in your e-mail address here or you may leave this line blank.

F. Applicable Party

Check the applicable box. If you are representing yourself, check the box for judgment creditor.

G. Name and Address of Court

Ask the clerk of your court for this information, including the court's address.

H. Case Name

Use the assigned case name. Example: *In re John D.* or *People of the State of California v. Doe.*

I. Case Number

Write the assigned case number in this space. You need to write this number at the top of every page of this form.

J. For Court Use Only

Leave blank. After this form is filed, the clerk will stamp this box on the copies so everyone knows they are copies of an official court document.

K. Order for Restitution

- If the person was convicted in criminal court, write in the date of the defendant's conviction and the defendant's name.
- In cases where a child has been found to be a person described in Welfare and Institutions Code section 602, item b. should be checked and the date of the hearing and the child's name filled in.
- If the parents or guardians are jointly and severally liable, write the names in the space provided.
- If co-offenders were found jointly and severally liable, write the names in the space provided.

This section must be completed by either you or the court. A separate order and abstract of judgment should be completed for each defendant or child ward found guilty of an offense.

L. Judicial Determination of Restitution

The defendant or child has a right to a restitution hearing. The hearing can be waived if the defendant or child agrees to give up his or her right to have a hearing. The amount of restitution may also be stipulated if the amount of restitution to be ordered is agreed to by all parties and the judge makes an order for the amount based on an agreement by all parties. It is very important to check the appropriate boxes to indicate whether the defendant or child has had a hearing or has waived the hearing. If you do not have all of the relevant information to complete this section, then the court should complete it for you.

M. Restitution Ordered to Pay

- If the court ordered the offender to pay you, write your name as the victim and the amount of restitution ordered by the court. Make sure the amount of restitution is not left blank or "to be determined." A dollar amount must be listed for the order to be enforceable.
- Check this box if the court ordered the State Victim Compensation Board to receive reimbursement for funds previously paid to you or your service provider by the Restitution Fund. Make sure the amount of reimbursement is not left blank or "to be determined." A dollar amount must be listed for the order to be enforceable.

N. Amount of Restitution

Check the applicable boxes a. through e. that specify why the restitution was ordered. Example: If the court ordered that you collect medical expenses and lost wages, check boxes b. and c. If the amount of restitution includes something that is not listed, check box e. and briefly specify what additional costs are covered.

(Front Side of Form CR-110/JV-790)

CR-110/JV-790

ATTORNEY OR PERSON WITHOUT ATTORNEY (Name, state bar number, and address)

Recording requested by and return to:

TELEPHONE NO.: FAX NO. (Optional)

ADDRESS (optional):

ASSIGNMENT OF RECORD:

ATTORNEY FOR: ☐ JUDGMENT CREDITOR ☐ ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:

CASE NUMBER: FOR RECORDERS USE ONLY

CASE NAME: FOR COURT USE ONLY

ORDER FOR RESTITUTION AND ABSTRACT OF JUDGMENT
(Penal Code, §§ 1202.4(f), 1214; Welfare and Institutions Code, § 730.6(h) and (i))

ORDER FOR RESTITUTION

1. a. ☐ On (date) defendant (name) was convicted of a crime that entitles the victim to restitution.
b. ☐ On (date) child (name) was found to be a person described in Welfare and Institutions Code section 602, which entitles the victim to restitution. ☐ Wardship is terminated.
c. ☐ Parents or guardians jointly and severally liable (name each).
d. ☐ Co-offenders found jointly and severally liable (name each).

2. Evidence was presented that the victim named below suffered losses as a result of defendant's/child's conduct. Defendant/child was informed of his or her right to a judicial determination of the amount of restitution and:
a. ☐ a hearing was conducted.
b. ☐ stipulated to the amount of restitution to be ordered.
c. ☐ waived a hearing.

3. THE COURT ORDERS defendant/child to pay restitution to:
a. the victim (name) in the amount of: \$
b. the State Victim Compensation Board, to reimburse payments to the victim from the Restitution Fund, in the amount of: \$
c. ☐ plus interest at 10% per year from the date of ☐ loss or ☐ sentencing
d. ☐ plus attorney fees and collection costs in the sum of \$
e. ☐ plus an administrative fee at 10% of the restitution owed (Pen. Code, § 1202.4(f); Welf. & Inst. Code, § 730.6(c))

4. The amount of restitution includes:
a. ☐ value of property stolen or damaged
b. ☐ medical expenses
c. ☐ lost wages or profits
(1) ☐ incurred by victim due to injury
(2) ☐ of victim's parent(s) or guardian(s) (if victim is a child) incurred while caring for the injured child
(3) ☐ incurred by victim due to time spent as a witness or in assisting police or prosecution
(4) ☐ of victim's parent(s) or guardian(s) (if victim is a child) due to time spent as a witness or in assisting police or prosecution
d. ☐ noneconomic losses (felony violations of Pen. Code, § 288 only)
e. ☐ other (specify):

Date: _____ JUDICIAL OFFICER: _____

VICTIM TO RECEIVE CERTIFIED COPY FOR FILING WITH COUNTY RECORDER

ORDER FOR RESTITUTION AND ABSTRACT OF JUDGMENT

Form Approved for Optional Use
Judicial Council of California
CR-110/JV-790 (Rev. January 1, 2004)

Page 1 of 2
Penal Code, §§ 1202.4(f), 1214
Welfare and Institutions Code, § 730.6(h), (i)
Civ. Code, § 1714.1
Code of Civil Procedure, § 15A9002

O. Case Name and Number

Use the case name and case number that you wrote on the front of the form.

P. Application for Abstract of Judgment

Check the applicable box. If you are the victim, check the box for judgment creditor. A separate judgment must be filed for each defendant or child and each victim.

- The judgment debtor is the person who was ordered to pay the restitution. Write the name and last known address of the judgment debtor in the space provided. You may also include any known aliases used by the judgment debtor.
- Fill in the judgment debtor's driver license number and state where it was issued, if you know them. If you do not know this information, check the "unknown" box to the right.
- Fill in the judgment debtor's social security number, if you know it. If you do not know this information, check the "unknown" box to the right.
- Fill in the judgment debtor's date of birth, if you know it. If you do not know this information, check the "unknown" box to the right.

Q. Name and Signature

Print your name on the line specified. If you are representing yourself, sign on the other line. Write in the date. If identifying information is obtained from other than direct sources, check the "On Information and Belief" box located below the signature line.

R. Judgment Creditor

Enter your name in the space provided.

S. Judgment Debtor

Enter the name of the judgment debtor in the space provided.

T. Judgment Date

Enter the date the judgment was entered. If you don't know the date, the clerk of the court should complete this information.

U. Amount of Judgment

Enter the amount of the judgment entered. If you do not know the amount, the clerk of the court should complete this information.

V. Stay of Enforcement

Specify whether the court has ordered a stay of enforcement. If a stay of enforcement was ordered, check the appropriate box and write in the date of the order and the date until it is effective. If a stay of enforcement was not ordered, check the other box.

W. Abstract of Judgment

The clerk of the court will write in the date the judgment was issued and will sign the Abstract of Judgment.

The box on the upper left-hand side of Page 1 of the form, which is described in Instructions A–F, is for the purposes of the county recorder. It should be filled out by the person seeking recording of the *Order for Restitution and Abstract of Judgment*. Once you receive a certified copy of the order and abstract of judgment from the court, you can record it with a county recorder for a nominal recording fee. To be enforceable, a judgment must be entered in the court records. Once the judgment is entered in the court records you may use it for civil remedies and collection efforts such as obtaining wage garnishments or writs of execution. Recording Form CR-110/JV-790 with the county recorder places an automatic lien against any real property that the defendant owns at the time of the recording or may own in the future. In juvenile cases, recording of the document places a lien against the parent's or guardian's real property if they are named in the judgment. Recording the judgment with the county recorder requires that the *Abstract of Judgment*, Page 2, be completed and signed.

After items 7 through 11 are completed, the form should be submitted to the court at sentencing or disposition. If completed after sentencing or disposition, the form should be submitted to the judge's clerk or the records clerk of the court. The clerk will provide you with a certified copy of the *Order for Restitution* and duplicate original of the *Abstract of Judgment* for recording by the county recorder.

(Back Side of Form CR-110/JV-790)

<p>CASE NAME: _____</p>	<p>CASE NUMBER: _____</p>
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NOTICE TO VICTIMS

PENAL CODE SECTION 1214 PROVIDES THAT ONCE A DOLLAR AMOUNT OF RESTITUTION HAS BEEN ORDERED, THE ORDER IS THEN ENFORCEABLE AS IF IT WERE A CIVIL JUDGMENT. ALTHOUGH THE CLERK OF THE COURT IS NOT ALLOWED TO GIVE LEGAL ADVICE, YOU ARE ENTITLED TO ALL RESOURCES AVAILABLE UNDER THE LAW TO OBTAIN OTHER INFORMATION TO ASSIST IN ENFORCING THE ORDER.

THIS ORDER DOES NOT EXPIRE UNDER PENAL CODE SECTION 1214(d).

THE VICTIM SHALL FILE A SATISFACTION OF JUDGMENT WITH THE COURT WHENEVER AN ORDER TO PAY RESTITUTION IS SATISFIED, PURSUANT TO PENAL CODE SECTION 1214(d).

APPLICATION FOR ABSTRACT OF JUDGMENT

5. The ☐ judgment creditor ☐ assignee of record ☐ other (specify): _____

a. Judgment debtor's _____

Name and last known address

b. ☐ Driver license no. and state: _____

c. ☐ Social security no.: _____

d. ☐ Date of birth: _____

Unknown
Unknown
Unknown

Date _____

(TYPE OR PRINT NAME) _____ (SIGNATURE OF APPLICANT OR ATTORNEY) _____

☐ ON INFORMATION AND BELIEF

ABSTRACT OF JUDGMENT

6. I certify that the following is a true and correct judgment entered in this action.

7. Judgment creditor (name): _____

8. Judgment debtor (full name as it appears in judgment): _____

9. Judgment entered on (date): _____

10. Total amount of judgment as entered or last renewed: \$ _____

11. ☐ A stay of enforcement was ordered on _____ and is effective until _____

☐ A stay of enforcement was not ordered

This abstract of judgment issued on (date) _____

Clerk, by _____, Deputy

NOTICE TO COUNTY RECORDER

THIS ORDER IS ENFORCEABLE AS IF IT WERE A CIVIL JUDGMENT, PURSUANT TO PENAL CODE SECTION 1202.4(l) AND (m), PENAL CODE SECTION 1214, AND WELFARE AND INSTITUTIONS CODE SECTION 750.8(f) AND (i), AND FUNCTIONS AS AN ABSTRACT OF JUDGMENT.

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ORDER FOR RESTITUTION AND ABSTRACT OF JUDGMENT